

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CHRISTOPHER MOSBY,)	
)	
Petitioner,)	
)	1:23CV887
v.)	
)	
NORTH CAROLINA, et al.,)	
)	
Respondent.)	

ORDER

On October 23, 2023, the United States Magistrate Judge's Recommendation and Order was filed and notice was served on the parties in accordance with 28 U.S.C. § 636(b). Objections were filed within the time limits prescribed by section 636. (Doc. 6.)

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objections were made and has made a de novo determination in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that the Petition is dismissed for failure to apply to the United States Court of Appeals for the Fourth Circuit for an order authorizing this district court to consider the current Petition as is required by 28 U.S.C. § 2244 and that, there being neither a substantial issue for appeal concerning the denial of a constitutional right affecting the

conviction nor a debatable procedural ruling, a certificate of appealability shall not issue.

/s/ Thomas D. Schroeder
United States District Judge

December 22, 2023